



THE ATTORNEY GENERAL OF TEXAS

GERALD C. MANN

AUSTIN 11, TEXAS

~~WILL WILSON~~

ATTORNEY GENERAL

January 27, 1939

Hon. Charles H. Slaughter
County Attorney
Stanton, Texas

Dear Mr. Slaughter:

Opinion No. 0-225

Re: Compensation for services rendered
other county officials.

Your request for an opinion on the following question:

"Whether County Attorneys are entitled to compensation for
services rendered other officers of County?"

has been received by this office.

Article 334, Revised Civil Statutes of Texas, provides:

"The District and County Attorney, upon request, shall give
an opinion or advice in writing to any county or precinct
officer of their district or county touching their official
duties."

We quote from an opinion rendered by Hon. Scott Gaines, First Assistant
Attorney General January 2, 1935;

"Unless statute provides for the county attorney to represent
the county in a civil action, it is not the duty of the
county attorney to do so. In cases where the county attorney
is required to represent the county and no fee is prescribed,
then the compensation of the county attorney is the ex officio
compensation that will be allowed under Article 3895, except
in cases where a certain amount of money is recovered, then
his compensation is that authorized by Article 335.

"In cases where the law does not require county attorney
to represent the county, the compensation is that which
is agreed upon between the county attorney and the
commissioners' court just in the same manner as if
some other attorney had been employed by the county."

In view of the above mentioned statutes and opinion quoted from, you are respectfully advised that it is the opinion of this Department that the county attorney is entitled to reasonable compensation for any services rendered for any county official, other than these services required by law, and may be agreed upon between the commissioners' court and county attorney and allowed by the commissioners; court.

Trusting that the foregoing answers your inquiry, we remain.

Very truly yours

ATTORNEY GENERAL OF TEXAS

s/ Ardell Williams

By

Ardell Williams

Assistant

AW:AW/ldw

APPROVED:

s/ Gerald C. Mann

ATTORNEY GENERAL OF TEXAS